

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLAUDE GREINER,

Plaintiff,

v.

CADILLAC ACCOUNTS RECEIVABLE  
MANAGEMENT, INC.,

Defendant.

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No. 19-12479

Honorable Nancy G. Edmunds

**ORDER TO SHOW CAUSE**

IT IS HEREBY ORDERED that Defendant shall, within twenty-one (21) days of this Order, SHOW CAUSE in writing why this case should not be remanded to the 36th Judicial District Court of the State of Michigan for lack of subject matter jurisdiction, specifically the lack of a federal question as required by 28 U.S.C. § 1331.

Plaintiff initiated this action in small claims court by filing a one-page affidavit and claim alleging Defendant violated “the Michigan TCPA and illegal debt collection practices.” (Dkt. 1-1, PgID 8.) Defendant removed the suit to this Court, asserting federal question jurisdiction, because “[t]he TCPA is a federal statute” and the allegation of “illegal debt collection practices” is “understood by Defendant to refer to the Federal Fair Debt Collection Practices Act.” (Dkt. 1, PgID 2-3.)

While Defendant is correct that the TCPA is a federal statute, Plaintiff’s reference to “the Michigan TCPA” may be fairly read as bringing a claim under Michigan law. Indeed, Michigan law imposes liability for some of the same conduct prohibited by the TCPA. See Mich. Comp. Laws § 445.1776. Similarly, the allegation

of “illegal debt collection practices” may be construed as a claim under Michigan’s counterpart to the Fair Debt Collection Practices Act—the Michigan Collection Practices Act.

This Order to Show Cause constitutes notice under Local Rule 41.2 of the Local Rules for the Eastern District of Michigan of the Court’s intent to remand this case on its own motion for lack of subject matter jurisdiction, unless Defendant can demonstrate that the Court does have jurisdiction in this case.

SO ORDERED.

s/Nancy G. Edmunds  
Nancy G. Edmunds  
United States District Judge

Dated: August 29, 2019

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 29, 2019, by electronic and/or ordinary mail.

s/Lisa Bartlett  
Case Manager